

Harmony Township Planning Board

Instructions to Applicants

1. These instructions are intended only as a guide for the applicant in the submission of a complete development application. They are not intended as a substitute for the appropriate development ordinances of the Township of Harmony and the laws of the State of New Jersey governing development. In the event that these guidelines are deficient or conflict with any of the Township development ordinances or the applicable statutes, such ordinances or statutes shall govern.
2. **Copies of The Harmony Township Code** governing the development of land in the Township of Harmony are available from Mrs. Kelley D. Smith, Harmony Township Clerk, Harmony Township Municipal Building, 3003 Belvidere Road (CR 519), Phillipsburg, New Jersey 08865, 908/213-1600 Ext. 10. A fee to cover costs may be charged.
3. **Regular meetings** of the Harmony Township Planning Board are normally held on the first Wednesday of each month at 7:30 p.m. at the Harmony Municipal Building, 3003 Belvidere Road (CR 519), Phillipsburg, NJ 08865, unless otherwise so designated by the Board.
4. A hearing must be held on all applications to the Harmony Township Planning Board. Notice is required by law prior to certain hearings, which include all cases involving preliminary majorsubdivision, conditional uses, bulk variances and the Exercising of other auxiliary powers granted to the Planning Board.

If the applicant is unsure as to whether notice is required on a particular application, the applicant should consult an attorney.

DAYS TO HEARING:

28 DAYS

5. All applications for the site plan or subdivision approval must be submitted to the Township Clerk or Planning Board Secretary at least 28 days in advance of the Planning Board meeting. Applications submitted after that time will be heard not sooner than the following month.

A) Applicants wishing to make application for **preliminary and/or final site plan** approval shall follow the requirements contained in Chapter 137 of the Harmony Township Code.

B) Applicants wishing to make application for **subdivision** shall follow the requirements contained in Chapter 148 of the Harmony Township Code.

28 DAYS

6. Complete application must be submitted in its entirety including the following:

- a) Corresponding letter with a detailed description of the submitted material.
- b) Application forms and completed checklist(s).
- c) Filing fees- made Payable to the **TOWNSHIP of HARMONY**
- d) Plans
- e) Other documents necessary to demonstrate compliance with Harmony Township Code.

27 DAYS

7. The Application will be reviewed by the Administrative Officer (Clerk) when submitted to be certain all the necessary forms and fees have been submitted. If all materials are in order, the Application will be immediately forwarded to the Planning Engineer for technical review and verification of legal completeness.

20 DAYS

8. Although a review period of forty-five (45) days is permitted by law, applications will be reviewed for completeness within six (6) days.

The applicant will be informed whether the application is complete. Applications which are not complete will not be placed on the agenda.

To be complete, applications must meet all requirements of the Code.

If a provision is considered not applicable, supporting documentation must be submitted to substantiate its inapplicability.

20 DAYS

9. Based upon the ruling of completeness the Planning Board Secretary will advise the Applicant of the Public Hearing date. No notification is to be sent out until the Secretary advises a Hearing Date has been sent.

13 DAYS

10. The Engineer's complete written report will be issued not later than 13 days prior to the public hearing.
11. Only complete applications will be placed on the agenda and heard by the Board. The applicant should verify with the Township Clerk, Planning Board Secretary and/or the Engineer Office on the day of the meeting as to the status of the application if the applicant has not previously been advised by the Township Engineer that the application is complete.
12. All applications are required are required to be acted upon by the Warren County Planning Board. Information concerning submittal procedures can be obtained from:

**Warren County Planning Board
Wayne Dumont, Jr. Administration Building
Route 519
Belvidere, NJ 07823
(908) 475-6500**

Public Hearing Notification (For Applications where required)

Contents of Notice: The notice must state the date, time and place of the Public Hearing, the nature of matters to be considered , the property Lot and Block Numbers, street address and location and times where Documents are available for public inspection.

20 DAYS

The Board Secretary will set the date of the hearing after the Attorney and/or Engineer has established the legal completeness of the Application, based upon timing and the expected load of business to come before the Board.

10 DAYS

Who must be notified:

1. All owners of real property, as shown on the current Tax Map(1, above), located within 200 feet in all directions of the property in question, must be notified of the Public Hearing. Notice shall be given by serving the property owners personally or by mailing a copy by Certified Mail to the property owner. Notice is deemed complete upon mailing.

Notice to a partnership may be made to any partner.

Notice to a corporate owner may be made to any officer or other person authorized by appointment or by law to accept service on behalf of the corporation.

NOTE: Certification stubs must be presented (see 5, below) as evidence of service. **Form Letter (ZB-107FL)** attached may be used as a guide.

2.

- A.** The Clerk of all adjoining municipalities and the Warren County Planning Board, when the property involved is located within 200 feet of another municipality. Notice shall be as in No. 1, above.
- B.** The Warren County Planning Board when the application involves property adjacent to an existing county road or proposed road shown on the Official County Map, County Master Plan or adjoins another county.
- C.** The Commissioner of Transportation of the State of New Jersey when property abuts a State Highway.

- D.** The Director of the Division of State and Regional Planning in the Department of Community Affairs, when the hearing involves an application for development of property which exceeds 150 acres or 500 dwelling units, in which case the notice shall include a copy of any other maps or documents required to be on file with Administrative Officer pursuant to NJSA 40:55D-10-b.
- E.** A utilities holding easements within 200 feet of the property. See Tax Assessor for a list.

Form Letter (ZB-108FL) attached may be used as a guide.

3 DAYS

Proof of Notification: An affidavit of Proof of Service to all required parties shall be submitted at least three (3) days prior to the Public Hearing Board Secretary or Administrative Officer (Clerk). The Affidavit shall have attached to it:

1: A copy of the Schedule which lists the names and addresses and date of the service

2: One copy of the Form of Notice completed in the same manner as the originals which were served

3: A copy of the Assessor's List which you received

4: The original Return Receipts, if mail service, or personal receipt if served in person.

Form Proof (ZB-110FL) attached, may be used as a guide.

17 Days

Publication: Public notice shall be given by publication in the Official Newspaper of the Municipality (*Star Gazette: deadline- Noon on Friday for following publication) at least 10 days prior to the hearing date.

Form Notice (ZB-110FL) attached, may be used as a guide.

3 Days

Publication Proof: The Applicant shall furnish an affidavit of Proof of Publication by the Star Gazette to the Clerk or Board Secretary at least three (3) days prior to the Public Hearing. This shall include a copy of the actual newspaper notice.

Form Proof: (ZB-111FL) attached, may be used as a guide.

Legal Representation

While it is in now way mandatory, if the Applicant feels the procedures to be followed to prepare this Application for relief from provisions of the Harmony Township Zoning Code are not clear or there are questions regarding the Application, it is recommended that the Applicant obtain the advice or representation of an attorney licensed in the State of New Jersey and experienced in planning and zoning matters.

Corporations, both for profit and not for-profit, must be represented by an attorney licensed in the State of New Jersey.

*****IMPORTANT*****

In order to expedite the processing of an Application, the Applicant should be careful to fully comply with all the above instructions. The Board can take no action until all requirements are fully complied with and, if unable to act within 90 days from the date the Application was received, the Board will be deemed, by statute, to have decided in the negative (denied) the Application.

HARMONY TOWNSHIP PLANNING BOARD

16 copies must be filed with the Secretary of the Planning Board

Application No: _____ Date Filed: _____

Tax Block: _____ Lot(s): _____

Street/Road: _____

Fee Paid - \$ _____ Previous Subdivisions: _____
(Check payable to: Township of Harmony) _____



DO NOT WRITE ABOVE THIS LINE FOR TOWNSHIP USE ONLY

Application is hereby made pursuant to the Zoning Ordinances of the Township of Harmony for:

* **Classification Approval** * **Preliminary Approval** * **Final**

* **Re-Approval** * **Other** _____

1. Applicant: _____

Address: _____



Telephone #: _____

2. Applicant s Engineer: _____

Address: _____



Telephone #: _____

3. If represented by counsel
Attorney s name: _____

Address: _____

4. If Applicant is a Corporation or Partnership:

Name of President or Partner: _____

Corporation Name: _____

Address: _____

Telephone #: _____

5. Name & Address of all other partners or stockholders of the corporation required to be disclosed by N.J.S. 40:55D-48.1 et seq. (attach separate page, if necessary)

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

NOTE: If applicant is a corporation, it may only appear before the Board through a New Jersey attorney.

6. Name of Present owner: _____

Address: _____

Check if other than No. 1 above state nature of legal relationship between owner and applicant.

* I am under a contract of sale with the present owner (attach copy of contract)

* I am applying with the express consent of the present owner

* Other: (explain): _____

7. If there have been any prior applications to this Board for this property, give date(s)

Previous Application: _____

Applicant's name: _____

Application No. _____

8. Type of action requested:

* Classification * Preliminary * Final Approval * Re-approval

Type of Application:

* Major Subdivision * Minor Subdivision * Site Plan Review
* Conditional Use

Date of previous action taken by Board: _____

Type of Action: _____

9. This application proposes to subdivide _____ acres into _____ lots, or concerns review of a site plan for property consisting of _____ acres.

10. Have there been any material changes in the present Plat submitted from your previously submitted Plats. If so, indicate nature of the changes: _____

11. List of Plats and other material made part of this submission:

| <u>Item</u> | <u>No. of Copies</u> | <u>Title of Document</u> |
|-------------|----------------------|--------------------------|
| <u>a.</u> | | |
| <u>b.</u> | | |
| <u>c.</u> | | |
| <u>d.</u> | | |
| <u>e.</u> | | |
| <u>f.</u> | | |
| <u>g.</u> | | |
| <u>h.</u> | | |

12. Does this application require any relief concerning zoning ordinance requirements?

* YES * NO If so, state nature of relief sought:

* A. Variance from Section _____ of Harmony Township Zoning Ordinance respecting:

1) Lot area _____

2) Lot dimension _____

3) Setback _____

4) Yard Requirements _____

* B. Direction for issuance of building permit for building or structure
in mapped street, drainage way, flood control basin on public area

* C. Direction for issuance of a permit for a building or structure not related to a street

* D. Conditional Use

NOTE: If the applicant requests any of the relief set forth immediately above, the Applicant is required to give public notice of the hearing on said application pursuant to Ch. 291, P.L. 1975 (C. 40:55D-12) and to file proof of full compliance therewith the Secretary of the Planning Board.

The Municipal Land Use Law (291, P.L. 1975 (C. 40:55D-1 et seq.) sets forth the procedural requirements for the notices required to be given by Applicants for any Official Action of this Board which requires a public hearing. This law also sets forth the statutory tests of when such an Official Action can be taken and what relief may be granted to the Applicant. If you are uncertain as to what must be proven to the Board in order to justify granting of the relief sought or how it must be proven, you should obtain competent advice or assistance.

*******Applicants Please Note*******

The Harmony Township Committee and Planning Board have established the position of Planning Board Secretary and Administrative Officer(Clerk) and have prescribed the duties and responsibilities of the office for which the Secretary and/or Clerk is salaried. Requests by Applicants of the Secretary and/or Clerk for services over and above her normal duties will require reimbursement by the Applicant to the Township of Harmony for the additional services actually charged to the Township of Harmony by the Secretary and/or Clerk. If there is any doubt as to which services will result in additional costs to the Applicant, it shall be the Applicant s responsibility to so inquire in advance.

I hereby certify that the information contained in the within Application is complete and accurate and understand that the Harmony Township Planning Board will be relying thereon in taking Official Action upon my Application.

Dated:_____ Applicant: _____

As a condition of subdivision approval of a tract into six or more lots, or approval of a site to be used for commercial purposes, the applicant, where it is a corporation or partnership, shall submit as part of its application a list of the names and addresses of all stockholders or individual partners owing at least 10% of its stock or at least 10% of the interest in the corporation or partnership, as the case may be, pursuant to R.S. 40:55D 48.1 et seq. if applicable.

Full disclosure pursuant to the requirements of N.J.S. 40:55D - 48.1 et seq. is hereby made in within application or on the attached sheet and is hereby certified to be accurate to the best of my knowledge.

Applicant: _____

CERTIFICATION BY TAX COLLECTOR

I hereby certify that, as of the date of the within application, no real property taxes are due and remain unpaid on the property which is the subject of the within application.

Dated: _____ Tax Collector: _____

HARMONY TOWNSHIP PLANNING BOARD

NOTIFICATION TO APPLICANT OF PUBLIC HEARING (ZB-110)

Case No. _____ **Appeal Filed:** _____, 19 _____

Dear Sir or Madam:

Your (appeal) (application) under the Zoning Ordinance in re:
premises _____

has been given Case No. _____.

You are hereby notified that a public hearing on this (appeal)(application) has been ordered for _____, 20_____, at _____ PM, in the Harmony Township Municipal Building, 3003 Belvidere Road, Harmony Township, Warren County, New Jersey, at which time you must be present either in person or by attorney or your (appeal)(application) will be rejected by default.

Notice of the public hearing must be served by you, as described in Item #3, Instructions to Applicant. The form of notice to be served and affidavit of service to be returned to the Board are attached.

Respectfully,

Ann Viebrock
Secretary, Planning Board

HARMONY TOWNSHIP PLANNING BOARD
(SAMPLE FORM- NOTICE OF HEARING (ZB-108FL))

- CLERK OF ADJACENT MUNICIPALITY
- COUNTY PLANNING BOARD
- COMMISSIONER OF TRANSPORTATION
- DIRECTOR, DIVISION OF STATE AND REGIONAL PLANNING

CASE No. _____

TO: _____

PLEASE TAKE NOTICE:

That _____, the undersigned, has appealed and/or applied to the Planning Board of Harmony Township, Warren County, for relief from _____

to permit _____

at _____

Lot _____ Block _____, which property*

is within two hundred (200) feet of your municipality

fronts property upon a county owned property, or is within two hundred (200) feet of a municipal boundary

is adjacent to a State Highway

includes a development in excess of 150 acres or 500 dwelling units

Applicant is seeking the following unit:

hardship variance

use variance

subdivision